

**EDUCATION & YOUTH COMMITTEE MEETING  
of the  
Suffolk County Legislature**

**Minutes**

A regular meeting of the Education & Youth Committee was held in the Rose Y. Caracappa Auditorium in the William Rogers Legislative Building, Veterans Memorial Highway, Smithtown, New York on November 14, 2001 at 1:30 P.M.

**MEMBERS PRESENT:**

Legislator Vivian Fisher, Chairperson  
Legislator Angie Carpenter, Vice Chair  
Legislator Jon Cooper  
Legislator Brian Foley

**MEMBERS NOT PRESENT:**

Legislator Fred Towle  
Legislator Andrew Crecca

**ALSO IN ATTENDANCE:**

Nanette Essel, Aide to Legislator Fisher  
Carl Yellow, Aide to Legislator Crecca  
Salvatore LaLima, President, Suffolk Community College  
Charles K. Stein, Suffolk Community College  
Ellen Schuler Mauk, Faculty Association, Suffolk Community College  
Nicole DeAngelo, County Executive's Office, I.R.  
Jim Spero, Deputy Director of Budget Review Office  
All Interested Parties

Minutes taken and transcribed by Irene Kulesa, Legislative Secretary

(The meeting came to order at 1:30 P.M.)

**CHAIRPERSON FISHER:**

We will begin the Committee Meeting of the Education and Youth Committee. Our Pledge of Allegiance will be led by Legislator Brian Foley.

**SALUTATION**

**CHAIRPERSON FISHER:**

If I could ask you all to just remain standing for a moment of silence for the people who have suffered due to the crash of Flight 587. There were so many Dominicans who have emigrated here with great hopes and those hopes have been dashed and their lives have been broken and I want to keep them in our thoughts and in our prayers.

**MOMENT OF SILENCE**

**CHAIRPERSON FISHER:**

Thank you. Okay are there any cards? Any statements? Okay, we do have guests today who would like to make a little presentation. Should I go to the agenda first? Or would you -  
- Okay, President LaLima, did you have any statement that you wanted to make or -- ? We have a pretty straightforward agenda today. Okay. Why don't you come forward, because I think Legislator Foley might have some questions for you.

**LEGISLATOR FOLEY:**

President LaLima, we have to justify your presence here today by asking some questions and that way you can go back to the board and say that you are able to respond to some

questions raised by Legislators. It's my understanding that whether verbal or written, there's been communication from the State Government that they are not moving forward with the increase in the FTE? Is that true or not?

PRESIDENT LALIMA:

Yes, for the current year that appears now to be a closed issue. The Community College has ended up with no increase from the State. You know the traditional procedure they follow up in Albany is that the Governor puts no increase in for Community College across the State and then the Legislature usually handles the Community Colleges. And I guess they were planning to do a supplemental. At least that's what I understood until the September 11th, incident and then that ended that and so --

LEGISLATOR FOLEY:

When was --

PRESIDENT LALIMA:

With no increase and it's history now, as far as I understand it.

LEGISLATOR FOLEY:

When we're saying the current year, we're talking about this academic year?

PRESIDENT LALIMA:

Yes, the year we're in, right.

LEGISLATOR FOLEY:

The year that we're in.

PRESIDENT LALIMA:

We recall, we were hoping to get some of that money from the State and replenish the money that was taken out of the reserves on the --

LEGISLATOR FOLEY:

One twenty five. As we were looking at a 125?

PRESIDENT LALIMA:

We were hoping for the 125 and --

LEGISLATOR FOLEY:

Right.

PRESIDENT LALIMA:

We were planning on that coming back into the reserve account to replace the money that we had budgeted initially but that didn't happen.

LEGISLATOR FOLEY:

Now, just through the Chair, has that been a written communiqué or --

PRESIDENT LALIMA:

No there's no --

LEGISLATOR FOLEY:

How does --

PRESIDENT LALIMA:

Well, when you say written communiqué, there's been sort of e-mail type of things just advising us from SUNY of what they hear and what's been happening.

CHAIRPERSON FISHER:

And I was given that information through my Assemblyman. You know that this is where the

State -- this was the State's position.

LEGISLATOR FOLEY:

Now if, in fact, well the fact is as we heard from the President that the increase is not coming to -- is not going to the Community Colleges and the reasons that the State is giving is September 11th. I think what would be helpful, at least, for us President LaLima is through your offices and we can do it through own but yours would also be helpful, is to find out what the State intends to do with those monies then. They say September 11th, but is it being utilized in downtown Manhattan? Is it being utilized in some other area of the SUNY Budget?

PRESIDENT LALIMA:

They actually --

LEGISLATOR FOLEY:

Those are monies that, as you mentioned, there was not just expectations but the track record being what it is with the State's Budget, we were fully expecting that increase. So do we know whether or not where those monies are now going?

PRESIDENT LALIMA:

They actually never set those monies aside. That was something we were hoping was going to be legislative action.

LEGISLATOR FOLEY:

Right.

CHAIRPERSON FISHER:

Supplemental budget.

PRESIDENT LALIMA:

In the supplemental budget but that supplemental budget never developed. What was it Jim? Jim is saying that he believes there was a surplus.

MR. SPERO:

That the State was going to appropriate the surpluses that they thought they had but since September 11th, they are not anticipating having those surpluses. So the likelihood of getting the additional aid seems moot at this point.

LEGISLATOR FOLEY:

I think it would still be important to find out how and where the surplus monies are going just to make sure that they are going to the area that they are using as the reason to not follow through on the increase for FTE's to the Community College. I just think we can do that for our own offices but also it would be helpful if there are ways President, if you could find out as well. Let me do a quick follow-up to that? Would you care to comment on that or --?

PRESIDENT LALIMA:

On that list?

LEGISLATOR FOLEY:

Yes.

PRESIDENT LALIMA:

I was just going to mention that the Association of Community College Presidents, which there are 30 of us. We had a phone conference call with the Chancellor a couple of weeks ago and the issue of funding for the Community College was the key topic and the Chancellor is putting together a proposal and a strategy. I don't think it will have anything to do with the current year budget but they are looking at next year. But we've made it clear that the time has come for the Governor to no longer depend on the Legislature to take care of the

Community College. That we should be treated the same as all the SUNY units and our funding should be proposed at a appropriate level when he submits his budget to the State Legislature and the Chancellor agrees. And he said that he is presenting a package and he intends to meet the Governor on it and try to change that protocol that we're following for so many years.

LEGISLATOR FOLEY:

Just as a follow-up? If and when that package is created, particularly as it relates to the Community Colleges, I'm sure you'll get a copy of it and if you could send a copy of that to the Chair and through the Chair to the committee members?

PRESIDENT LALIMA:

Yes.

LEGISLATOR FOLEY:

Because you're absolutely right. We say that on the local level. The best way to make sure that the program is in the budget is not so much for us to amend it in as it is to have the County Executive have as part of his proposed budget. All right, just as the last follow-up to that? Being the case that when those monies are not coming, how is it impacting the budget?

CHAIRPERSON FISHER:

We didn't build our budget predicated on an FTE increase.

LEGISLATOR FOLEY:

I understand that but I want to hear --

CHAIRPERSON FISHER:

Why we built the budget that way because the New York State Budget didn't allocate any money to any FTE increases.

LEGISLATOR FOLEY:

If I may Madam Chair, President LaLima? How is the college coping with this situation?

PRESIDENT LALIMA:

Well again, Legislator Fisher pointed out, when we put our budget together and the Legislature had approved it and it was eventually signed off by the County Exec, we had a balanced budget. Now the piece that we had anticipated to come from the State at a later time, at that time came out of our fund balance reserve.

LEGISLATOR FOLEY:

Say that one more time please?

PRESIDENT LALIMA:

The piece that we were anticipating might come at some future point from the State.

LEGISLATOR FOLEY:

Yes.

CHAIRPERSON FISHER:

It's coming to fund balance.

PRESIDENT LALIMA:

It's coming out of fund balance.

LEGISLATOR FOLEY:

Okay.

PRESIDENT LALIMA:

So the budget is down. What's happening is we're just not able to replenish it at this point from the State side.

LEGISLATOR FOLEY:

Okay and is that impacting the Operating Budget at all?

PRESIDENT LALIMA:

No, it wouldn't impact in that regard.

LEGISLATOR FOLEY:

How does it impact?

PRESIDENT LALIMA:

Well it impacts in terms of us not having as big a fund balance to carry into the next year and the year after. That's where we're going to feel the problem.

CHAIRPERSON FISHER:

If we could move to the agenda?

LEGISLATOR FOLEY:

Well, just it will be another moment. It's very important because what I'm hearing --

CHAIRPERSON FISHER:

Okay, I just want to see where you're going with this, so I can understand.

LEGISLATOR FOLEY:

Well, the reason where we're going Madam Chair, is the fact that without the additional monies, I wanted to lay the groundwork to see what the college is or is not doing because they don't have the additional FTE's. The President --

CHAIRPERSON FISHER:

It's still the budget facing that.

LEGISLATOR FOLEY:

Madam Chair, I understand that. But the fact is -- the fact is I wanted to hear from the President about whether or not it's impacting this year's Operating Budget and what the President is saying is not impacting this year's Operating Budget, is that correct?

PRESIDENT LALIMA:

Not in a direction, it's not.

LEGISLATOR FOLEY:

Okay, because see Madam Chair, I needed to hear a response because what I'm being told is that there are personnel within the college being told that they have to cut back on purchases of different instructional equipment or instructional supplies. Or that there are other items that need to be purchased in any given academic year. That someone in your administration is telling folks that they are supposed to cut back or reduce the amount of purchases because of the loss of the additional FTE Madam Chair. That's why I wanted to bring this up. I just wanted to hear what you had to say President. And just to let you know of what I'm hearing and through the Chair, what I would like, I'm not going to ask you to answer it today because I'm just asking it today. But for our next committee meeting, which is in a several weeks time to find out whether -- in light of the fact that you mentioned that it's not impacting this year's Operating Budget, what I'm being told by some on campus that, in fact, it is because people are being told that they can't purchase certain items because of this loss of expected increase in FTE's. We need to get to the bottom of this to find out whether, in fact, it is impacting or it's not and that's the reason why I had to go through five minutes of questioning.

CHAIRPERSON FISHER:

I would appreciate being apprised as Chair of the Education Committee, if there are problems with faculty members who are having difficulties. Or perhaps, I could be given a heads up by

members of my committee before we are in the committee.

LEGISLATOR FOLEY:

Right. Some of us just hear of it a few minutes before the committee meeting Madam Chair.

PRESIDENT LALIMA:

Let me comment. What you may be hearing is I've talked to the three campuses through the Governor's bodies in the last several weeks and what I've said to them is that given that the State wasn't able to come through with the share that we were hoping they would come through with, that we should try to be as conservative as possible this year, so that hopefully we'd have some surplus that could be carried into next year's budget, so that we'd like to --

CHAIRPERSON FISHER:

You're trying to create the fund balance?

PRESIDENT LALIMA:

We'll try to create a little bit of a replacement for what we didn't get this year from the State but that may not materialize. So I just said, you know, if you really don't need something, try to hold back. But we didn't tell anybody that they can't buy it. At least, it didn't come from the central offices. Now the campus fellows, sometimes people make decisions that I don't know about.

LEGISLATOR FOLEY:

Well yes. If I just finish with this Madam Chair? That's the point. Because what's been of concern for some of us, particularly in the area of instructional supplies and equipment, where last year there was an issue of almost to the point where people had to go out and buy their own chalk. And I use that as an extreme example but that's where things got to last year. I'm just trying to make sure through this committee that, you know, that there isn't any restraints being placed upon whether there isn't any written or verbal restraints that have gone out where people are being given the impression that they can't go and buy either instructional supplies or other supplies that they believe are important to teach their classes basically, okay? And if you could -- through the Chair, if you can get back to us at the next meeting about that whether, in fact, there has been a cut in that area?

PRESIDENT LALIMA:

Okay, sure.

LEGISLATOR FOLEY:

Thank you Madam Chair.

CHAIRPERSON FISHER:

Okay, thank you. Are there any other questions? Any one have any other questions for President LaLima? Okay, we'll be moving to the agenda. The first item on the agenda is accepting and appropriating an amendment to the college Budget for a grant award from Raytheon Professional Services, 100% reimbursed by private funds at Suffolk County Community College. There's a motion by Legislator Carpenter, seconded by Legislator Foley and I would move to put that on the consent calendar. All in favor? Opposed? 2017 is approved for the consent calendar.

#### INTRODUCTORY RESOLUTIONS:

I.R. NO. 2017-01 Accepting and appropriating an amendment to the college budget for a grant award from Raytheon Professional Services LLC for a Raytheon/General Motors Training Program 100% reimbursed by private funds at Suffolk County Community College.

VOTE: 4-0-0-2 APPROVED PLACED ON CONSENT CALENDAR

CHAIRPERSON FISHER:

2041 accepting and appropriating an amendment to the college budget for a grant award



from the State University of New York for a SUNY Child Care Program 100% reimbursed by State funds. Motion by the Chair, second by Legislator Cooper. Again, I would like to place this -- I move to place this on the consent calendar, seconded by Legislator Foley. All in favor? Opposed? 2041 is approved and placed on the consent calendar.

I.R. NO. 2041-01 Accepting and appropriating an amendment to the college budget for a grant award from the State University of New York for a SUNY Child Care Program 100% reimbursed by State funds at Suffolk Community College.

VOTE: 4-0-0-2 APPROVED PLACED ON CONSENT CALENDAR

CHAIRPERSON FISHER:

Counsel I have a question about the first Sense Resolution 95-2001? I have read the Sense and of course the title is Memorializing Resolution requesting State of New York to clarify grandparent custody rights. I know that there have been some very highly publicized grandparent custody right cases. Do these reflect any of those decisions? Or is this basically, just asking that when there are issues, where children are taken from a home that the parent -- the grandparents be seen as a possible placement for those children?

MR. SABATINO:

Well, this takes into account that the U.S. Supreme Court ruling from last year, which is, I think, the one you're referring to. In which it struck down a Washington State Court Statute, which actually gave grandparents the -- like a preference or a priority, in terms of establishing custody. So the court said you couldn't do that. This proposed legislation --

CHAIRPERSON FISHER:

They were fighting the parents, weren't they?

MR. SABATINO:

It was a grandparent who was fighting --

CHAIRPERSON FISHER:

I think the issue was the grandparents were fighting the parents?

MR. SABATINO:

Exactly and Washington State had passed a law, which said that a grandparent actually had a claim to custody on the same footing as a parent, which has generally not been the principal of law.

CHAIRPERSON FISHER:

Right.

MR. SABATINO:

So in light of that decision, this particular State proposal doesn't go that far. This just talks about trying to enhance the notification provision. So that grandparents are made more aware of the statute that says children that are being proposed to be taken out of a home by a court order to be placed in foster care or is going to be some kind of a custody issue. At least, grandparents would have access to notification.

CHAIRPERSON FISHER:

So my initial understanding is as far as it goes. It doesn't go farther.

MR. SABATINO:

It does not go --

CHAIRPERSON FISHER:

The other custodial issue.

MR. SABATINO:

It doesn't go beyond. It doesn't -- well, you can't overturn what the U.S. Supreme Court did.

CHAIRPERSON FISHER:

Okay. I didn't remember that that was a Supreme Court Case. I thought that was a State issue.

MR. SABATINO:

It was Washington State but it went to the United State Supreme Court. It was a major decision.

CHAIRPERSON FISHER:

I will then make a motion to approve.

LEGISLATOR CARPENTER:

Second.

CHAIRPERSON FISHER:

Seconded by Legislator Carpenter. All in favor? Opposed? Sense 95 is approved.

SENSE RESOLUTIONS:

I.R. NO. 95-2001 Memorializing Resolution requesting State of New York to clarify grandparent custody rights. (Legislator Maxine Postal) ASSIGNED TO EDUCATION & YOUTH

VOTE: 4-0-0-2 APPROVED

CHAIRPERSON FISHER:

Sense 96, I'll make a motion to approve.

LEGISLATOR COOPER:

Second.

CHAIRPERSON FISHER:

Second by Legislator Cooper. All in favor? Opposed? Sense 96 is approved.

I.R. NO. 96-01 Memorializing Resolution requesting State of New York to provide caregiver support program for grandparents and older relatives caring for children. (Legislator Maxine Postal) ASSIGNED TO EDUCATION & YOUTH

VOTE: 4-0-0-2 APPROVED

CHAIRPERSON FISHER:

Before we leave, Ellen may I ask you a question please? Would you mind coming forward? I don't want to put you on the spot. I was unprepared for this and I don't know whether or not you are prepared for it. But has there been a groundswell of complaints that people are -- people's budgets are being cut? Or supplies are not being provided? Have you --

MS. SCHULER MAUK:

I wouldn't say groundswell. There have been complaints of people not being able to get paper, are not being able to get chalk. It's not widespread over all three campuses. But I'm hearing it from, you know, different pockets, different areas. Whether it has to deal with the departmental budgets? That I'm not sure.

CHAIRPERSON FISHER:

Okay and it's -- are any of those refusals to supplies being attributed to the State Budget and not coming forward with the FTE?

MS. SCHULER MAUK:

No, it's -- there's not a direct connection with the State Aid. What people have been told is



that, you know, the college is being very constrained in its budget because, you know, the future is uncertain, in terms of what kind of State Aid we will be getting and we know that we didn't get the State Aid that we expected. But you know -- and whether people have been refused it? That I don't know. I know that they are having problems with some basic supplies.

CHAIRPERSON FISHER:

Okay. Thank you Ellen. If there are no further questions, I move to adjourn the meeting, seconded by Legislator Cooper. Thank you. Thank you very much.

(The meeting was adjourned at 1:50 P.M.)